

PATENT
Attorney Docket No. BBC-043/A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : EXAMINER: D. Rao
Calderwood et al. : ART UNIT: 1624
APPLICATION NO.: 09/399,083 :
FILED: September 17, 1999 :
FOR: 4-Aminopyrrolopyrimidines :
as Kinase Inhibitors :

Mail Stop After Final
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

STATEMENT UNDER 37 C.F.R. §3.73

Attached herewith is a Terminal Disclaimer to Obviate a Double Patenting Rejection Over a "Prior" Patent. Abbott GmbH & Co., KG is disclaiming the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior U.S. Patent No. 6,713,474.

Abbott GmbH & Co., KG, is the owner of the instant application, U.S.S.N. 09/399,083 by virtue of an assignment from BASF Aktiengesellschaft to Abbott GmbH & Co. KG recorded on June 10, 2003 at reel 013718 and frame 0861. U.S.S.N. 09/399,083 was assigned by the inventors David Calderwood, Lee Arnold, Hormoz Mazdiyasni, Gavin C. Hirst, Bojuan B. Deng and David N. Johnston to BASF Aktiengesellschaft in an assignment recorded February 1, 2000 at reel 010581 and frame 0702.

Abbott GmbH & Co., KG is the owner of U.S. Patent #6,713,474 to Abbott GmbH & Co., KG by virtue of an assignment from BASF Aktiengesellschaft to Abbot GmbH & Co., recorded on June 10, 2003 at reel 013718 and frame 0861. U.S. Patent No. 6,713,474 was assigned by the inventors Gavin C. Hirst, David Calderwood, Rainer Munschauer, Lee D.

Arnold, David N. Johnston and Paul Rafferty to BASF Aktiengesellschaft in an assignment recorded on July 28, 2000 at reel 010830 and frame 0502.

The under signed is agent of record.

Respectfully submitted,

Date: August 10, 2010

/Gayle O'Brien/

Gayle B. O'Brien
Agent for Applicants
Reg. No. 48,812

Abbott Bioresearch Center
100 Research Drive
Worcester, MA 01605
(508) 688-8053